REMARKS

Claims 14 and 15 are amended for purposes of expediting prosecution to include limitations similar to those of claim 1. Claims 1-6 and 8-10, and 12-17 are pending in the application. Reconsideration and allowance of the application are respectfully requested.

The Office Action does not establish that claims 1-6, 8-10, and 12-17 are unpatentable under 35 USC §103(a) over "Tsiounis" (U.S. Patent Pub. No. 2001/0039535 to Tsiounis et al.) in view of "Garnett" (U.S. Patent No. 7,013,352 to Garnett). The rejection is respectfully traversed because the Office Action does not show that all the limitations are suggested by the references and does not provide a proper motivation for modifying the teachings of Tsiounis with teachings of Garnett.

The limitations of claim 1 specify, for example, that the adapter modules are coupled to the database and executable on the server, and each adapter module includes a payment processing application configured to identify from the database a financial institution identification code associated with the merchant identification code from a payment request. The Tsiounis-Garnett combination neither teaches nor suggests these particular limitations.

The Office Action cites Tsiounis' paragraphs 0007-0009, 0025, 0036, 0080, and 0023-0069 as suggesting the limitations of "a plurality of adapter modules coupled to the database, each adapter module executable on the server arrangement, compatible with one of the plurality of protocol types." However, these paragraphs do not contain any apparent adapter modules or a database. The paragraphs mention provision of payment information, use of SSL and SET, different Web browsers, payment via a trusted third party, and various other specifics too numerous to generalize (paragraphs 0023-0069). But, there is no apparent suggestion of elements understood to correspond to the claimed adapter modules and database. Since the cited text from Tsiounis does not show any apparent elements that have any adapter module coupled to a database, further explanation is respectfully requested. Applicant respectfully requests recitation of those elements of Tsiounis believed to correspond to the claimed plurality of adapter modules that are executable on the server and coupled to a database if the rejection is maintained.

The Office Action also does not show that Garnett suggests these limitations. Garnett is cited as teaching a use of a serializer/deserializer as a physical layer interface in a blade server, along with dynamic selection of an information protocol, for example, Ethernet or Infiniband, for use between the serializer/deserializer and multiple processors (Abstract). However, there are no apparent elements in Garnett, nor are any specific elements cited, that suggest that the adapter modules are coupled to the database and executable on the server, and each adapter module includes a payment processing application configured to identify from the database a financial institution identification code associated with the merchant identification code from a payment request. Garnett's selectable protocol interface does not execute on the server (it's described as connected between the processor and a serializer/deserializer) nor is there any apparent database to which Garnett's protocol interface is coupled. Therefore, the Tsiounis-Garnett combination is not shown to teach all the limitations of claim 1.

The alleged motivation for combining Garnett with Tsiounis is unsupported by evidence and improper. The alleged motivation is "to facilitate the buying and selling of products and services." The Office Action does not present any evidence that Tsiounis alone does not already adequately facilitate the buying and selling of products and services. Nor is there any evidence presented that demonstrates that Tsiounis is deficient in facilitating the buying and selling of products and services. Therefore, the alleged motivation is improper.

Independent claims 10, 14 and 15 include similar limitations, and these claims are also not shown to be unpatentable over the Tsiounis-Garnett combination.

Claims 2-4, and 8 depend from claim 1, claim 13 depends from claim 10, and claims 16-17 depend from claim 15. Thus, claims 2-4, 13, and 16-17 are not shown to be unpatentable for at least the reasons set forth above.

Claims 5 and 6 depend from claim 1 and include further limitations of at least one of the adapter modules is configured to communicate data with a set top box arrangement consistent with a cable network communications protocol. None of the cited text of Tsiounis appears to mention a set top box, and no elements appear to correspond. Therefore, a citation to the specific element of Tsiounis thought to

correspond to the set top box is requested if the rejection is maintained. Otherwise, the rejection should be withdrawn.
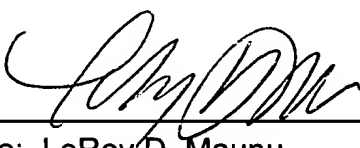
Claim 9 depends from claim 1 and includes further limitations of the at least one of the adapter modules configured to communicate with a mobile communications device is also configured to communicate data with a vending machine and a kiosk. None of the cited text of Tsiounis appears to mention either a vending machine or a kiosk, and no elements appear to correspond. Therefore, citations to the specific elements of Tsiounis thought to correspond to the vending machine and kiosk are requested if the rejection is maintained. Otherwise, the rejection should be withdrawn.

The rejection of claims 1-6, 8-10, and 12-17 should be withdrawn because a *prima facie* case of obviousness has not been established.

Withdrawal of the rejections and reconsideration of the claims are respectfully requested in view of the remarks set forth above. No extension of time is believed to be necessary for consideration of this response. However, if an extension of time is required, please consider this a petition for a sufficient number of months for consideration of this response. If there are any additional fees in connection with this response, please charge Deposit Account No. 50-0996 (HPCO.080PA).

Respectfully submitted,

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